

## GENERAL GRANT CONDITIONS AND ASSURANCES

The applicant gives assurances and certifies with respect to the grant for which it is applying that it will comply with the following requirements in the event that the grant is awarded:

1. The applicant will comply with all provisions of the federal Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), 42 U.S.C. §14043g, applicable to the Sexual Assault Services Program (SASP), the Program Guidelines, and the requirements of the OJP Financial Guide, effective edition. Additionally, the applicant will comply with the Department of Criminal Justice Services' (DCJS) program guidelines and grant conditions.
2. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Department of Criminal Justice Services shall prescribe shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this grant.
3. **REPORTS:** The applicant agrees to submit such reports as the DCJS shall reasonably request. Financial reports shall be submitted to the DCJS on the 12th **state business** day following the close of each quarter, until a final financial report is filed. Progress reports shall be submitted semi-annually.
4. **INSPECTION AND AUDIT:** The applicant agrees to comply with the organizational audit requirements of OMB Circular A-128, "Audits of State and Local Governments." In conjunction with the beginning date of the award, the audit report period of the government entity to be audited under the single audit requirement is the start-date of the project through the end-date of the project as noted on the Statement of Grant Award/Acceptance. The audit report shall be submitted no later than one (1) year from the end-date of the grant award as stated on the Statement of Grant Award/Acceptance, and for each audit cycle thereafter covering the entire award period as originally approved or amended. The management letter must be submitted with the audit report. A copy of all audits must be forwarded to the DCJS.
5. The applicant will comply, where applicable, with the following:
  - ☐ Civil Rights Compliance;
  - Confidentiality and Human Subjects Protections regulations;
  - Anti-Lobbying Act;
  - Financial and Government Audit Requirements;
  - National Environmental Policy Act (NEPA) compliance;

- DOJ Information Technology Standards;
  - Single Point of Contact Review;
  - Non-Supplanting of State or Local Funds;
  - Criminal Penalty for False Statements;
  - Compliance with OJP's Office of the Chief Financial Officer Financial Guide;
  - Suspension or Termination of Funding;
  - Government Performance and Results Act (GPRA);
  - Rights in Intellectual Property; and
  - Federal Funding Accountability and Transparency Act (FFATA) of 2006.
6. POLITICAL ACTIVITY: The restrictions of the Hatch Act, Pub. L. 93-433, 5 USC Chapter III, (as amended), concerning the political activity of government employees are applicable to applicant staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns except they may not be candidates for office.
7. DISCRIMINATION PROHIBITED: No person shall, on the grounds of race, religion, color, national origin, sex, or handicap be excluded from participation in, be denied the benefits or be otherwise subjected to discrimination under or denied employment in connection with, grants awarded pursuant to the Justice Assistance Act of 1984, and the implementing regulations 28 CFR Part 42, Subparts C, D, E, and G, or any project, program, activity, or subgrant supported or benefiting from the grant. The applicant must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and its implementing regulations 28 CFR 41.101 et. seq.. The applicant must further comply with Section 504 of the Rehabilitation Act of 1973, as amended, and its implementing regulations; the Age Discrimination Act of 1973, as amended, and its implementing regulations and Title IX of the Education Amendments of 1972; Title II of the Americans with Disabilities Act (ADA)(1990); (42 USC. 12131-12134 & 28 CFR 35)
8. EQUAL EMPLOYMENT OPPORTUNITY PROGRAM: The applicant certifies that it has executed and has on file, an Equal Employment Opportunity Program which conforms with the provisions of 28 CFR Section 42.301, et. seq., Subpart E, or that in conformity with the foregoing regulation, no Equal Employment Opportunity Program is required.

An applicant organization having 50 or more employees and receiving amounts of \$500,000 or more, or grants which in the aggregate exceed \$500,000 or more, in any fiscal year must submit a copy of its Equal Employment Opportunity Plan (EEO) to the DCJS for review. For continuation grant funding that exceeds this amount in any fiscal year, the applicant must submit a statistical update from the previous years plan.

9. The applicant assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the DCJS.
10. RELEASE OF INFORMATION: All records, papers and other documents kept by recipients of DCJS funds, and their contractors, relating to the receipt and disposition of such funds, are required to be made available to the DCJS. These records and other documents submitted to DCJS and its applicants pursuant to other provisions of the Act, including plans and application for funds, are required to be made available to DCJS under the terms and conditions of the Federal Freedom of Information Act, 5 USC 552.
11. INFORMATION SYSTEMS. With respect to programs related to criminal justice information systems, the applicant agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of the integrity and accuracy of data collection. The applicant further agrees:
  - a. That all computer programs (software) developed with funds provided by this grant will be made available to the DCJS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
  - b. To provide a complete copy of the computer programs and documentation, upon request, to the DCJS. The documentation will include but not be limited to system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
  - c. That whenever possible all application programs will be written in standardized programming languages (i.e., ANSI, COBOL, FORTRAN, BASIC, etc.) for use on general operating systems (e.g., DOS, CP/M, UNIX, etc.) that can be utilized on at least three different manufacturer's computers of similar size and configuration.

- d. To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Department of Criminal Justice Services should be contacted to determine availability of software prior to any development effort.
12. CONFIDENTIALITY OF RESEARCH INFORMATION: Research information identifiable to an individual, which was obtained through a project funded wholly or in part with DCJS grant funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).
13. CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES: The applicant agrees to be in compliance with all policies as expressed under the Code of Federal Regulations, 28 CFR 23, concerning the operation of criminal intelligence systems supported with grant funds.
14. COPYRIGHT: Except as otherwise provided in the conditions of the award, the author is free to arrange for copyright without approval when publication or similar materials are developed from work under a DCJS supported project. Any such copyright materials shall be subject to the DCJS's right to reproduce them, translate them, publish them, use and dispose of them, and to authorize others to do so for government purposes. In addition, communications in primary scientific or professional journals publishing initial reports or research or other activities and supported in whole or in part by the DCJS project funds may be copyrighted by the journal with the understanding that individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty, a single copy of any such article for their own use. State employees who develop copyrights during work hours, or within the scope of their employment, or when using state-owned or state-controlled facilities, the copyrights vest in the Commonwealth.
15. PATENTS: If any discovery or invention arises or is developed in course of or as a result of work performed under this grant, the applicant shall refer the discovery or invention to DCJS. The applicant hereby agrees that determination of rights to inventions made under this grant shall be made by the DCJS or its duly authorized official representative, who shall have the sole and exclusive powers to determine whether or not and where patent application should be filed and to determine the disposition of all rights in such inventions, including title which may issue thereon. The determination of the DCJS, or its duly authorized representative shall be accepted as final. In addition, the applicant hereby agrees and otherwise recognizes that the DCJS shall acquire at least an irrevocable non-exclusive royalty-free license to practice and have practiced throughout the world for governmental purposes any invention made in the course of or under this grant. The grant shall include

provisions appropriate of effectuating the purpose of this condition in all contract of employment, consultant's agreements, or contracts.

16. The applicant assures that funds made available under this grant will be used to enhance or expand services and will not be used to supplant nonfederal funds that have been appropriated for the purpose of providing services to victims of sexual assault..
17. Confidential expenditures for services, evidence and/or information must comply with the requirements stated in the Administrative Guide and Application Procedures Manual, Chapter 5, entitled Confidential Funds.
18. BIO MEDICAL EXPERIMENTATION: The applicant assures that no grant funds will be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation.
19. Any publications (written, visual or sound) whether published at the recipients or the governments expense shall contain the following statements:

This project was supported by the Department of Criminal Justice Services (DCJS) award no. (DCJS grant no.) from funds made available to Virginia by the Office on Violence Against Women, U.S. Department of Justice.

The opinions, findings, conclusions or recommendations expressed are those of the authors and do not necessarily reflect the views of DCJS or the U.S. Department of Justice.

20. The applicant currently receives DCJS funding supporting sexual assault services through the Sexual Assault Grant Program (SAGP) and is, or will be, a local non-profit non-governmental program prior to receiving these grant funds.

#### CERTIFICATION

I certify that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), 42 U.S.C. §14043g, applicable to the Sexual Assault Services Program (SASP), and all other federal and state laws and guidelines that apply to this award.

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Authorized Official

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Date